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To:

NAME: FACSIMILE: TELEPHONE:

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Telephone:

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FROM:

Debra J. Glaister

Senior Patent Agent

DATE:

November 17, 2005

Number of pages with cover page:

29

Preparer of this slip has confirmed that facsimile number given is correct: 7230/PME2

Comments:

Official Filing

Examiner: S. Chen Art Unit: 1632

U.S. Patent Application Serial No.: 09/457,931

Filing Date: December 8, 1999 Inventor: H. Ralph SNODGRASS

Title: TOXICITY TYPING USING EMBRYOUD BODIES

Docket No.: 441472000100

Papers enclosed herewith:

Transmittal - I page

Fee Transmittal + duplicate copy for fee processing - 2 pages Supplemental Information Disclosure Statement - 3 pages

Form PTO/SB/08a/b + copy - 2 pages

Two (2) references - 20 pages

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(to be used for all correspondence after initial filing)				1632		
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Name (Print/Type)	Debra J. Gla	ister				Dute	November 17, 2005

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Dated: November 17, 2005

Sugnature: Saturea Mille Managamicia M. Ellison)

PATENT Docket No. 441472000100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: II. Ralph SNODGRASS

Serial No.: 09/457,931

Filing Date: December 8, 1999

For: TOXICITY TYPING USING

EMBRYOID BODIES

Examiner: S. Chon

Group Art Unit: 1632

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

MS AF Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the document listed on the attached Form PTO/SB/08a/b. A copy of the document is also submitted herewith. The Examiner is requested to make this document of record.

The documents listed on the attached Form PTO/SB/08a/b were cited in an European Examination Report mailed on October 6, 2005, directed to a counterpart international or foreign application and have not been previously cited. A certification under 37 C.F.R. § 1.97(e)(1) follows:

I hereby certify that each item of information was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement.

pa-1023878

Application Serial No. 09/457,931

PATENT Docket No. 441472000100

	This Su	pplemental Information Disclosure Statement is submitted:
	With t	he application: accordingly, no fee or separate requirements are required.
	Before	the mailing of a first Office Action after the filing of a Request for Continued
	Exami	nation under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97
	(e)(1)	has been provided.
	Withir	three months of the application filing date or before mailing of a first Office Action
	on the	merits; accordingly, no fee or separate requirements are required. However, if
	applic	able, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
	After	receipt of a first Office Action on the merits but before mailing of a final Office Action
	or Not	ice of Allowance.
		A fee is required. A check in the amount of is enclosed.
		A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to
		this submission in duplicate.
		A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is
		believed to be due.
\boxtimes	After	mailing of a final Office Action or Notice of Allowance, but before payment of the
	issue l	ee.
		A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the
		amount of is enclosed.
	\boxtimes	A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal
		form (PTO/SB/17 is attached to this submission in duplicate.)

Applicant would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist;

pa-1023878

Application Serial No. 09/457,931

PATENT Docket No. 441472000100

(iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 441472000100.

Dated: November $\frac{77}{2}$, 2005

Respectfully submitted,

Debra J. Glaister

Registration No.: 33,888

MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304-1018

(650) 813-5725

ALTERNATIVE TO PTO/SB/08a/6 (07-05)

		Complete if Known		
Substitute for form 1449/PTO	Application Number	09/457,931		
INFORMATION DISCLOSURE	Filing Date	December 8, 1999		
STATEMENT BY APPLICANT	First Named Inventor	H, R. SNODGRASS		
STATEMENT BY APPLICANT	Art Unit	1632		
(Use as many sheets as necess ary)	Examiner Name	S, Chen		
Sheet 1 ot 1	Antorney Docket Number	441472000100		

	U.S. PATENT DOCUMENTS									
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-	FOREIGN PATENT DOCUMENTS									
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	NON PATENT LITERATURE DOCUMENTS							
Examiner Imbals	Cite No.'	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	۳					
***************************************	1.	European Examination Report mailed on October 6, 2005 for EP Application No. 99963069 2 filed on December 9, 1999, 8 pages.						
	2.	Wobus, A.M. et al (1994). "In Vitro Differentiation of Embryonic Stem Cells into Cardiomyocytes or Skeletal Muscle Cells is Specifically Modulated by Retinoic Acid," Roux's Arch. Dov. Biol. 204(1):36-45.						

^{*}EXAMINER: Initial if inference consultred, whether or not criation is in conformance with MPEP 609. Draw time through citation if not in conformance and not consultred. Include copy of this form with next communication to applicant

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¹Applicant's unique cranion designation number (optional). ²Applicant is to place a check mark hero if English lunguage. Previously is attached.

ALTERNATIVE TO PTO/SIMMA/b (07-05)

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	<i></i>	,		Art Unit	1632		
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For FY 2005	Examiner Name S. Chen						
Applicant claims small entity status. See	Art Unit 1632						
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METHOD OF PAYMENT (check all that	apply)						
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Charge any additional fee(s) or underpayment of x Credit any overpayments fee(s) under 37 CFR 1.15 and 1.17							
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Name (Print/Type) Debra J. Glaister	T		***************	Date N	lovember	17. 2005	

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